

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.833 of 2018

Arising Out of PS.Case No. -null Year- null Thana -null District- ARRARIA

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Bandelal Mandal, S/o Lobhan Mandal, Resident of Village- Maratipur, Ward No. 06, P.S. Kursakanta, District Araria.

.... Petitioner

Versus

1. The State of Bihar Through The Principal Secretary, The Department of Excise, The Government of Bihar, Patna.
2. The Collector, Araria.
3. The Superintendent of Police, Araria.
4. The Deputy Superintendent of Police, Araria.
5. Vikash Kumar Azad, The Station Home Officer, Kursakanta Police Station Home Officer, Kursakanta Police Station, Araria.

.... Respondents

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Appearance :
For the Petitioner/s : Mr. Anil Prasad Singh
For the Respondent/s : Mr. Vikash Kumar, S.C.11

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT
Date: 03-05-2018

Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner has prayed for release of the vehicle (Honda Shine Motorcycle) bearing registration no. BR-38J-3445 in favour of the petitioner in connection with Kursakanta P.S. Case No. 34/2016 for the offences under Section 47(A) of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is ready and willing to abide by the terms and conditions which may be imposed by this Court for provisional release of the vehicle in question.

In the facts and circumstances, pending initiation or finalization of the confiscation proceeding, let the vehicle, if belongs to the petitioner, be released provisionally within a



week on production of proof of ownership and registration of the vehicle in his favour subject to the following conditions:-

(i) Petitioner shall furnish a surety bond of Rs. 60,000/- (Sixty Thousand only) (not in form of cash or Bank guarantee) with two sureties of the like amount to the satisfaction of the Collector-cum-District Magistrate, Araria.

(ii) Petitioner shall furnish an undertaking that he would not alienate or encumber the vehicle or deal with them adverse to the interest of the State and shall produce the vehicle before the Collector-cum-District Magistrate, Araria, as and when directed.

(iii) A photograph of the vehicle shall be taken and panchnama be also prepared, certified and be kept on record in accordance with law.

This application is, accordingly, disposed off.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

AFR/NAFR	
CAV DATE	
Uploading Date	04.05.2018
Transmission Date	04.05.2018

